

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
CHRISTOPHER JOHNSON,
Defendant.

No. CR 05-00651 CW
ORDER FOR PRETRIAL
PREPARATION FOR
CRIMINAL
JURY TRIAL

Good cause appearing, it is hereby ordered that:

1. TRIAL DATE

a. Jury trial will begin on **October 10, 2006, at 8:30 A.M.**,
in Courtroom 2, 4th Floor, 1301 Clay Street, Oakland, California.

b. The length of trial will be not more than 5 days.

2. DISCOVERY

Both sides will comply with the Federal Rules of Criminal
Procedure, Crim. L.R. 16-1, and the United States will comply with
Brady v. Maryland, 373 U.S. 83 (1963) and United States v. Agurs 427
U.S. 97 (1976).

3. MOTIONS

The time for filing pretrial motions has passed. If
Defendant Johnson has any pretrial motions, other than motions in
limine, he must file a motion for leave to file pretrial motions,
along with the proposed motions, within two weeks of the date of
this Order. Opposition to the motion for leave, or opposition to
the proposed motions, will be due two weeks thereafter, and any

1 reply will be due one week after the opposition is filed. The
2 motion will be submitted on the papers.

3 4. PRETRIAL CONFERENCE

4 a. A pretrial conference will be held on Monday,
5 **September 25, 2006, at 2:30 p.m.**, in Courtroom 2. It shall be
6 attended by the attorneys who will try the case.

7 b. **Not less than one week prior to the pretrial**
8 **conference**, counsel shall comply with Crim. L.R. 17-1(b).

9 c. Jury instructions §1.1 through §1.12, §3.1 through
10 §3.10 and §7.1 through §7.6 from the Manual of Model Jury
11 Instructions for the Ninth Circuit (2000) will be given absent
12 objection. Counsel shall jointly submit one set of additional
13 proposed jury instructions, ordered in a logical sequence, together
14 with a table of contents, using the Ninth Circuit Manual where
15 possible, or Devitt and Blackmar or CALJIC, **not less than one week**
16 **prior to the pretrial conference**. Any instructions on which
17 counsel cannot agree shall be marked as "disputed," and shall be
18 included within the jointly submitted instructions and accompanying
19 table of contents, in the place where the party proposing the
20 instruction believes it should be given. Argument and authority
21 for and against each disputed instruction shall be included as part
22 of the joint submission, on separate sheets directly following the
23 disputed instruction. Counsel for the United States shall submit a
24 verdict form. The attached voir dire will be given to the venire
25 members. Counsel should submit an agreed upon set of additional
26 requested voir dire questions to be posed by the Court. Any voir
27 dire questions on which counsel cannot agree shall be submitted
28 separately. Counsel will be allowed brief follow-up voir dire

1 after the Court's questioning. Any motions in limine should be
2 noticed for hearing at the pretrial conference in accordance with
3 Criminal Local Rule 47-2.

4 5. JURY SELECTION

5 The Jury Commissioner will summon 35 to 40 prospective
6 jurors. The Courtroom Deputy will select their names at random and
7 seat them in the courtroom in the order in which their names are
8 called.

9 Voir dire will be asked of sufficient venire persons so that
10 twelve (plus a sufficient number for alternates) will remain after
11 all peremptory challenges and an anticipated number of hardship
12 dismissals and cause challenges have been made.

13 The Court will then take cause challenges, and discuss
14 hardship claims from the individual jurors, outside the presence of
15 the venire. The Court will inform the attorneys which hardship
16 claims and cause challenges will be granted, but will not announce
17 those dismissals until the process is completed. Peremptory
18 challenges will be made in writing and passed between counsel in
19 accordance with Crim. L.R. 24-2 and 24-3. The Court will strike
20 the persons with meritorious hardships, those excused for cause,
21 and those challenged peremptorily, and call the first twelve people
22 (plus alternates) in numerical sequence remaining. Those people
23 will be the jury.

24 Dated: 7/21/06



25
26 CLAUDIA WILKEN
United States District Judge
27
28

JUROR QUESTIONNAIRE

Please fill out this form as completely as possible and print clearly. Since we want to make copies for the attorneys and the Court, do not write on the back of any page. If you need more room, continue at the bottom of the page. Thank you for your cooperation.

1. Your name: _____

2. Your age: _____

3. The City where you live: _____

4. Your place of birth: _____

5. Do you rent or own your own home? _____

6. Your marital status: (circle one)

single married separated divorced widowed

7. What is your occupation, and how long have you worked in it? (If you are retired, please describe your main occupation when you were working).

8. Who is (or was) your employer?

9. How long have you worked for this employer? _____

10. Please list the occupations of any adults with whom you live.

11. If you have children, please list their ages and sex and, if they are employed, please give their occupations.

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12. Please describe your educational background:

Highest grade completed: _____

College and/or vocational schools you have attended:

Major areas of study: _____

13. Have you ever served on a jury? _____ No. of
times? _____

If yes: State/County Court _____ Federal Court _____

When? _____

Was it a civil or criminal case? _____

Did any of the juries reach a verdict? _____

(Rev. 3/03)